

REMARKS/ARGUMENTS

This Amendment responds to the Official Action mailed April 16. Claims 1 through 10 are now pending, claims 11-39 having been canceled; however, Applicant reserves the right to introduce the canceled claims in a continuing application.

Claims 1-9 stand rejected as being anticipated by Ramsden et al., and claim 10 stands rejected as being obvious over Ramsden et al. Applicant respectfully traverses these rejections.

Claim 1 is the sole independent claim now pending. Claim 1 concerns a method for delivering a parcel to a secure location, and more particularly concerns the actions taken by a *carrier* such as United Parcel Service as opposed to an individual who brings a parcel to a central facility such as a kiosk for later delivery by a *carrier*. The Examiner cites portions of Ramsden that describe the secure nature of Ramsden's kiosk in support of his position that the claimed steps are taught by Ramsden, but that is not a fair reading of Ramsden et al.

The "carrier" described in the instant specification is one of several fleets of carriers that deliver packages whereas the Examiner's reading of the claim equates the carrier with the individual who places a parcel into the kiosk. This reading ignores the remainder of the disclosure of Ramsden in which Ramsden uses the same term --carrier-- to describe the entity that is charged with removing parcels from the kiosk and for thereafter delivering the parcels. Ramsden's use of the term "carrier" to describe the delivery service as opposed to the individual who places packages in the kiosk should be dispositive of question of anticipation:

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Ramsden cannot anticipate the claimed delivery method because the "carrier" disclosed in Ramsden - which is the carrier referred to in the claims-- does not perform the steps recited; instead, the Examiner has distorted the teachings of Ramsden to conclude that another actor in the process is taking these steps. However, as noted above, that is not a fair reading of Ramsden et al. In short, Ramsden et al.'s true teachings are inapposite to the claimed invention.

Applicant submits that the Examiner has based his rejection on an overly broad reading of Ramsden; nevertheless, to expedite prosecution, Applicant has amended claim 1 in order to clarify what is submitted to be an inherent feature of the claim: that the "location" to which the claimed delivery method relates, is of "an intended recipient."

Also, to clarify claim 1 in case there is any doubt, the carrier who is dispatched in step (a) is dispatched "with the parcel to the location of the intended recipient." If the parcel were not with carrier when the carrier is dispatched, it could not be placed within the secure receptacle in step (c). Thus, the amendment in step (a) is believed to clarify an inherent feature of the claim without narrowing its scope.

To further improve the clarify of claim 1, a step has been added to permit "the carrier to make further deliveries at additional locations after having placed the parcel within the secure receptacle." This feature further distinguishes Ramsden et al., first because the individual placing a package in the kiosk is not a "carrier" for the reasons noted above, and second because it is completely antithetical to Ramsden et al.'s teachings to believe that the

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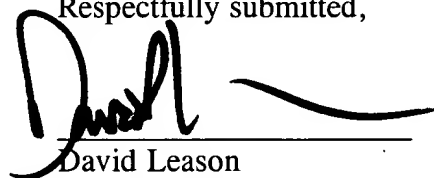
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individual would drop one package in the kiosk but and then go to other locations to make further deliveries instead of placing such other parcels in that kiosk. There is no teaching or suggestion of such an arrangement.

In view of the foregoing amendments and remarks, Applicant requests withdrawal of the rejections against claims 1-10 and allowance of this case.

The Examiner is invited to contact the undersigned if he perceives of a basis for resolving any outstanding issues.

Respectfully submitted,



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